

Arizona State Mine Inspector Notice of Start-Up For Mine Operations

Company Name: _____
Business Mailing Address: _____
City: _____ State: _____ Zip: _____
Official Headquarters Telephone Number: _____
Email Address: _____ Fax Number: _____
Emergency, Holiday or Weekend Telephone Number: _____

27-303: A. “ When mining operations are scheduled to begin at any mine, the operator, owner, agent or other authorized representative shall give written notice to the inspector prior to commencement of mining.”

27-303: B. “ In the case of temporary suspension of operation,” ... “ exceeding six months or in the case of permanent termination of mining operations, the operator shall notify the inspector, in writing before the suspension or termination date. All shafts, portal, adits or other openings shall be secured to prevent unauthorized entry and to protect the public health and safety pursuant to section 27-318.”

27-124: “The Mine Inspector’s Office must have information on file pertaining to each mining or milling operation in order to comply with it’s mandated inspection requirements.”

Company, Corporation or Partnership:

Official Name of Entity: _____

Principle Officials:

Name: _____ Title: _____
Address: _____
City: _____ State: _____ Zip: _____

Name: _____ Title: _____
Address: _____
City: _____ State: _____ Zip: _____

Name: _____ Title: _____
Address: _____
City: _____ State: _____ Zip: _____

**Arizona State Mine Inspector
Notice of Start-Up
For Mine Operations**

PLEASE COMPLETE THIS PAGE FOR EACH OPERATION

Mine or plant site information:

MSHA I.D. Number: _____
Mine or Plant Site Name: _____
Plant Address: _____
City: _____ State: _____ Zip: _____
Township: _____ Range: _____ Section: _____
Plant Phone Number: _____
Number of Employees including on-site office staff: _____
Type of Operation (surface, underground, contractor, etc.) _____
Principle Products: _____
Physical location and direction to mine plant site:

Start-Up Date: _____ Today's Date: _____

Supervisor or Manager: _____
Designated Safety Official: _____

Inspection & Reclamation Information:

Type of land operation will be located on:

___ Private ___ State ___ Federal (BLM)

If operation is on Private Land please provide us with the land owner information.

Estimated number of acres to be disturbed _____
Land Owner Name _____
Land Owner Address _____
Land Owner Phone Number _____

If location is remote, please provide a drawing or copy of a U.S. Geological Survey topographical map. Please feel free to attach copies of any documentation which could help the office locate or make other decisions about the operation.

Arizona State Mine Inspector Notice of Start-Up, Move, or Stop For Portable Equipment and Mine Operations

TO: All Arizona Mining Operations

FROM: Joe Hart
Arizona State Mine Inspector

RE: Accident and Quarterly Labor Reports

R11-1-136 of the Arizona Mining code states the Arizona State Mine Inspector must be notified of accident under specified conditions stated in that statute.

R11-1-151 of Arizona Mining Code states each mining operation must file a quarterly accident report with this office within fifteen (15) Days after the end of each calendar quarter.

| | | |
|-------------------------|-----------------------------|------------------------------|
| 1 st Quarter | January, February, March | Due April 15 th |
| 2 nd Quarter | April, May, June | Due July 15 th |
| 3 rd Quarter | July, August, September | Due October 15 th |
| 4 th Quarter | October, November, December | Due January 15 th |

The quarterly report, as well as the Accident Reports and retroactive to the first day of new operation.

A copy of Mine Safety and Health Administration quarterly mine employment and coal production report (MSHA Form 7000-2) is acceptable

Please feel free to contact the Inspection & Enforcement Division of the Arizona State Mine Inspector's Office if there are any questions.

Arizona State Mine Inspector

Quarterly Labor Report

State ID# _____ Deputy: _____ Date _____

Company _____ Phone: _____

Mail address _____

City _____ State _____ Zip _____

County _____ FAX: _____

Mine or Plant Name Contact Person(s):

Operation

Status: Closed Open Other

Location: _____ Range: _____ Township: _____ Section: _____

Driving Instructions:

ARIZONA REVISED STATUTE/RULE 11-1-151. Requires this report (or the MSHA equivalent) be submitted to the Arizona State Mine Inspector by the 15th day following the end of each calendar quarter.

NUMBER OF REPORTABLE INJURIES DURING THIS QUARTER FOR EACH OPERATION

| | Employee Hrs. Worked | Number of Employees | Number of Injuries |
|-----------------------|---------------------------------|--------------------------------|-------------------------------|
| First Quarter | | | |
| Mine Staff | _____ | _____ | _____ |
| Support Staff | _____ | _____ | _____ |
| Second Quarter | | | |
| Mine Staff | _____ | _____ | _____ |
| Support Staff | _____ | _____ | _____ |
| Third Quarter | | | |
| Mine Staff | _____ | _____ | _____ |
| Support Staff | _____ | _____ | _____ |
| Fourth Quarter | | | |
| Mine Staff | _____ | _____ | _____ |
| Support Staff | _____ | _____ | _____ |
| Totals | _____ | _____ | _____ |

ARIZONA STATE MINE INSPECTOR Accident Report

This report is made pursuant to Arizona Revised Statutes section 27-124

State ID _____ Deputy _____ Report Rec'd _____
Company _____ Phone _____
Address _____ Fax _____

Accident Information

IN CASE OF A FATALITY OR SERIOUS ACCIDENT, THE STATE MINE INSPECTOR MUST BE CONTACTED IMMEDIATELY

Date of Accident _____ Time _____ Shift Began _____ at _____
Location of Accident _____
Injured Party _____ Sex _____ DOB _____
Job Title _____
Nature of Injury _____ Injured Area _____
Activity at Time of Injury _____

Conditions Contributing or Leading to Accident _____

Lost Time? _____ Days Lost _____ Days Restricted _____ Returned to Work _____

MINING EXPERIENCE

This Job Title This Mine Total Mining _____

Type of Accident

___ Struck By ___ Contacted By ___ Caught On ___ Caught Between ___ Fall to Below
___ Struck Against ___ Contact With ___ Caught In ___ Fall-Same Level ___ Overexertion

Exposure

___ Electricity ___ Heat ___ Cold ___ Chemical ___ Dust ___ Gas ___ Mist ___ Fume ___ Radiation ___ Noise

Name(s) of Witness (es) _____

Person Submitting Report _____ Title _____

Date _____ Phone _____

FATAL ACCIDENT

Contact Date _____ Time _____ By Whom _____

Department of Mines and Mineral Resources

1502 West Washington

Phoenix, Az 85007

(602) 255-3791 Toll Free in Arizona 1-800-466-4259

Pertinent Data for New or Prospective Mining Operations in Arizona

Circular No. 51, October, 1993 (revised 12-96)

By Nyal J. Niemuth

This circular provides only a brief discussion of Federal and State regulatory agencies' requirements for mine permitting. Current regulations and detailed guidelines are best obtained by contacting the specific government agency or department. IN some case county air and sanitation permit may be required. For these situations we suggest contacting the appropriate county planning and development department.

FEDERAL AGENCIES

**BUREAU OF ALCHOHOL,
TOBACCO & FIREARMS**
3003 N. Central Avenue, #1001
Phoenix, AZ 85012
(602) 776-5480

A license and/ or use permit is required for the manufacture, transfer, or use of explosives. Making AN-FO (ammonium nitratefuel oil) is considered manufacturing. Adherence to magazine standards for storage and record keeping of explosives used is also required. A packet including an application form and regulations is available on request. The state of Arizona has adopted statutes and regulations concerning the transportation of explosives as have numerous Arizona cities. Details are available, but the associated restrictions and cost prompt us to suggest two more feasible alternatives for small operators. Either have the explosives delivered to your mines magazine, or use two-component products like Kinepak that are not Class A until mixed.

CORPS OF ENGINEERS, ARMY
3636 N. Central Avenue, Suite 770
Phoenix, AZ 85012

BUREAU OF LAND MANAGEMENT (BLM)

222 N. Central Ave.
Phoenix, AZ 85004
(602) 417-9528

BLM regulations for surface management of public lands under U.S. Mining Laws have been under the authority of 43 C.F.R. 3809. These regulations required a noticed of operation to be sent to the appropriate BLM district office 15 days prior to commencement of operation, whenever activities may disturb the land surface in excess of normal, "casual" use. Activities disturbing more than 5 acres of land require filing and receiving approval of a plan of operations from the appropriate district office before commencing operations.

Notices and plans should include the operators name and address, claim names and BLM serial numbers, map or sketch of where the surface disturbances will occur, access routs and type of equipment used, description of operation, the time period during which the proposed activities will take place, and steps taken to minimize the impact and rehabilitate the surface at the end of construction. The regulations are contained in BLM Information Circular 2521. Copies of the circular may be obtained at any district office or state office, Bureau of Land Management.

The BLM is currently reviewing their regulations and may revise them to require bonding for notices and all leaching operations.

(602) 640-5385

The Army Corps of Engineering is authorized to regulate activities affecting the

navigable waters of the United States. Sections 404 of the Clean Water Act prohibits the discharge of any dredge, or fill material into waters of the untied states without a permit from the Corp of Engineers. Applications must include fee, a detailed description of the proposed activity, purpose, site map, names of adjoining property owners, water body location, and other information. Anticipate a minimum of 2-3 month to process an application.

**FOREST SERVICE
2324 E. McDowell Rd.
Phoenix, AZ 85006
(602) 225-5262**

Anyone proposing prospecting or mining operators under the Mining Laws of 1872 on National Forest Lands that might causedisturbance of surface resources must give the local district Forest Service Office a notice of intention to operate. If the authorized district ranger determines that such operation will cause a significant disturbance to surface resources, the operator must submit a proposed plan of operation. The operation plan must include: the operators name and address; map or sketch of where it will be conducted, proposed roads or access routs and means of transportation, description of operation, the time period of which the proposed activities will take place, and steps taken to minimize the impact and rehabilitate the surface at the end of operations. Copies of the regulations and procedures contained in Forest Service Current Information Report No. 14, Mining In National Forest, November 1979, can be obtained from the nearest Forest Service Office.

The District Ranger must be notified in advance of any changes in plans of operation, as well as cessation of operations. The District Ranger must also be notified of temporary cessation of operations that will include (1) verification of intent to maintain the structures, equipment, and other facilities; (2) the expected reopening date, and (3) an estimate duration of operations.

The authorized officer of the Forest Service may require a bond to assure restoration of the surface. A listing of bonding companies

**CORPORATION COMMISSION
1200 W. Washington
Phoenix, AZ 85007
(602) 542-3135**

(sureties on Federal Bonds) may be obtained from the Forest National Service or from the Audit Staff, Bureau of Government Financial Operation, Treasury Department, Washington, D.C., 20226.

**DEPARTMENT OF LABOR
3221 N. 16th St
Phoenix, AZ 85016**

Mine operators must conform to wage and hour regulations of the U.S. Department of Labor. Copies of regulations and procedures may be obtained free by calling or writing the Department of Labor, Wage and Hour Division.

**MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA)
60 East Main Street, #30
Mesa, AZ 85201
(602) 649-5452**

This agency inspects operating mines for the health and safety of employees. Written notification is required prior to mine startup. It should contain the mine name, mailing address, person in charge and whether operations will be continuous or intermittent. The agency should also be informed whenever a mine is temporarily or permanently closed.

STATE AGENCIES

**DEPARTMENT OF AGRICULTURE
1688 W. Adams
Phoenix, AZ 85007
(602) 542-4373**

Arizona has enacted the Arizona Native Plant Law (A.R.S. 3-901), protecting certain plants growing on Federal, state and private land. Permits and tags are necessary before moving any protected plants. Thirty days prior written notification is required before and protected plants are destroyed on private or state land. It is suggested the Department's Native Plant Program be contacted before starting any activity that may affect native plants.

Out-Of state corporations must contact the Arizona Corporation Commission before starting business with the state. An annual registration fee and filing of an annual report are required. Anyone seeking to raise money

through the sale of securities should check first with the commissions. Detailed information is available from the Corporation Commission.

**Department of Environmental Quality
(ADEQ)
Office of Water Quality
3033 N. Central Avenue
Phoenix, AZ 85012
(800) 234-5677**

Mining activities that may discharge water or tailings, maintain surface impoundments, and all leaching facilities must contact DEQ and obtain an Aquifer Protection Permit (APP) and comply with terms or conditions of the permit (monitoring, reporting, etc.). To obtain an APP operators must submit a "Best Available Demonstrated Control Technology, Process, Operating Methods or other Alternatives" (BADCT). BADCT guidelines for 5 types of mining operations: copper, precious metals, uranium, industrial minerals, and sand and gravel are available. DEQ acts as the lead agency in Arizona for the Federal Environmental Protection Agency (EPA). Permits may require up to six months or more advance notice. Office of Air Quality. 3033 N. Central Avenue, Phoenix Arizona 85012 (602) 207-2308. Facilities such as mill, smelters, roasting plants, etc., that will discharge into the atmosphere must operate under a permit. DEQ acts as the lead agency in Arizona for the Federal Environmental Protection Agency (EPA). Although some counties also issue air permits, initial inquiry should be made to the DEQ prior to beginning construction.

**INDUSTRIAL COMMISSION
800 W, WASHINGTON
PHOENIX, AZ 85007
Labor Department (602) 542-4515
Occupational Safety & Health
(602) 542-4515**

**Workers Compensation Claims
(602) 542-4661**

The Industrial Commissions Administrators and enforces Arizona statutes dealing with workers compensation, safety, and employee rights. Insurance should be carried for all workers and is mandatory under the State's Workers Compensation Act when one or more are employed. Insurance may be provided by either the State Compensation Fund, 3031 N. 2nd Street, Phoenix, AZ 85012 (602) 631-2000 or an independent insurance underwriter that meets standards set by the commission. Employers are required to post at each business information regarding: safety and health protection, workers compensation insurance, unemployment compensation, wage and hour regulations, log of

occupational injuries, and equal employee opportunity rights. The statutes place certain restrictions on mine employment practices. For more information or a copy of the statutes contact the Industrial Commissions of Arizona.

**LAND DEPARTMENT
Mineral Division
1616 W. Adams
Phoenix, AZ 85007
(602) 542-4628**

When operating on lands controlled by The State of Arizona, and operator is required to follow procedures and regulations established through state regulations established through state regulation. Prospecting permits and mineral lease forms may be obtained from the Land Department.

**MINE INSPECTOR
1700 W. Washington 4th Floor
Phoenix, AZ 85007
(602) 542-5971**

The State Mine Inspector must be notified in writing prior to the commencement or suspension of mining operations. The operator or operators should obtain from the Mine Inspectors Office a copy of the mining code and regulations. This booklet should be kept available in the mine and timekeepers office subject to inspections it contains statutes required by law to be posted. The Mine Inspector has the authority to regulate the health and safety conditions of all mines, mills and smelters, regardless of the number of workers and whether or not they are owners, partners or employees. The Mine Inspector may adopt rules reasonably necessary to effectuate the provisions of the laws administered by him. A mine safety inspection to comply with MSHA regulations is available at no charge. Safety and education courses are also available. For full details contact the Mine Inspectors Office.

**RADIATION REGULATORY
AGENCY
4814 S. 40TH Street
Phoenix, AZ 85040
(602) 255-4845**

Permits for Uranium Mills, and registration and licensing of man made radioactive sources (i.e. drill hole probes,

analytical equipment, exc.) are required by the agency. The agency also regulates employee occupational exposure and conducts inspections to ensure compliance with its standards

DEPARTMENT OF REVENUE
1600 W. Monroe
Phoenix, AZ 85007
Sales/Use Tax Division (602) 542-4656

When shipment or sales are made, the Department of Revenue requires a license to do business. This should be applied for on the form supplied by the sales/Use Tax Division, License Department of the Department of Revenue. A severance tax of 2.5% is levied on metalliferous minerals. The severance is levied on a weighted mineral value calculated by multiplying mining costs tie the gross value of production, dividing the results by the total production cost. Nonmetallic minerals are levied at 5% tax based on their value at point of first sale. A use tax of 5% is imposed on the storage, use, or consumption in mining and metallurgical operations of expendable materials purchased from a retailer who does not maintain a place of business in the State. Monthly returns of such sales and usages, with payment of taxes due, are required on forms prescribed by the department. Contact the Sales/Use Tax Division for additional details and requirements. Central Valued Properties (602) 542-3529 The division of Property Valuation and Equalization, Centrally Valued Properties Section, Natural Resource Unit appraises producing and non-producing mines including their land, facilities, and equipment. A copy appraisal Manual for Mines and Natural Resources (revised annually) that summarizes the procedures is available. The local county assessment ratio, determines the amount of tax to collect.

Arizona corporate income tax, employee with holding tax, and other information may be obtained from the Taxpayer Information and Assistance (602) 255-3381.

DEPARTMENT OF WATER RESOURCES
500 N. 3RD Street
Phoenix, AZ 85007
(602) 417-2470

The owner shall conspicuously post the notice at the collar of all working shafts, tunnels, and entrances to the mine and boarding houses, on or before the day the lease option, being operations. A copy must be recorded in the local county records office within 30 days from the date of the lease, bond or option. Failure to post

When a hole is drilled or s shaft is sunk that may intercept ground water, the prospector or min operator must notify the Department of Water Resources. Drillers of holes that intercept groundwater must be licensed as water well drillers. Preexisting shafts or mine workings from which water is withdrawn must be registered. An application is required to develop new water supplies. In certain critical ground water management areas, permits will be required in anticipation that drill hole, shafts, or other openings may intersect the ground water table

NON-PERMITTING INFORMATION

MINES AND
MINERAL RESOURCES,
DEPARTMENT OF (ADMMR)
1502 W. Washington
Phoenix, AZ 85007
(602) 255-3791

ADMMR is non-regulatory agency available to assist the public. One of its main functions is to aide new operators. The engineers are familiar with many of the problems incidental to new operators. In addition, ADMMR welcomes the filing activity the reports for mine data files it maintains. The information is useful in answering inquiries and portraying a positive image of mining activity to the public.

ADMMR publishes *Laws and Regulations Governing Mineral Rights in Arizona*, that provides an interpretation of mining laws along with instructions for locating and maintaining mining claims. Acquisition of mineral rights on both Federal and State lands is covered, and three are brief discussions of general matters including: types of public and patented lands, surface management regulations, property taxes, roads, rights of way, waste disposal, water rights, mining partnerships and grubstakes.

The owner of the mining property should protect himself against the liens by posting nonliability notice as provided in Arizona law (A.R.S. 33-990) when his property is being worked by others. The law requires that

such a notice renders the property liable for labor and material liens. The operator is required by law to keep the notices posted.

Permits & Approvals

that may be necessary to mine in Arizona

| Federal | Agency | |
|---|---|--|
| Explosives Storage | US Department of Treasury Alcohol, Firearms & Tobacco 3003 N. Central Ave., Ste. 1010 Phoenix, AZ 85012 | (602) 776-5480 1-800-800-3855 (theft or loss of explosives) |
| Environmental Impact Statement (public lands) | Various | |
| Reclamation Plan (public lands) | US Department of the Interior Bureau of Land Management 222 N. Central Ave. Phoenix, AZ 85004-2203 | (602) 417-9200 |
| Operation & Reclamation Plan | US Forest Service Coconino National Forest 2323 E. Greenlaw Ln., Flagstaff 86004 Coronado National Forest 300 W. Congress, Tucson 85701 Kaibab National Forest 200 W. Railroad Ave Williams 86046 Prescott National Forest 344 S. Cortez St. Prescott 86303 Tonto National Forest, Phoenix | (520) 527-3600 (520) 670-4552 (520) 635-4061 (520) 771-4700 (602) 225-5200 |
| National Pollutant Discharge Elimination System- Water | US Department of Energy <u>Environmental Protection Agency</u> 75 Hawthorn St. San Francisco, CA 94105 | (415) 744-1500 |
| Hazardous Waste Permit | US Department of Energy EPA - Resource Conservation & Recovery Act (RCRA) | |
| Air Quality Permit | US Department of Energy - EPA - Air | |
| Underground Injection Control (In-Situ Leach) | US Department of Energy - EPA | |

| | | |
|--------------------------|---|----------------|
| Dredge & Fill 404 Permit | US Department of the Army <u>Corps of Engineers</u> 3636 N. Central Ave. Phoenix, AZ 85012 | (602) 640-2021 |
|--------------------------|---|----------------|

| | | |
|-----------------|--|----------------|
| Federal Mine ID | US Department of Labor <u>Mine Safety & Health Administration</u> 61 E. Main St., Ste. 302 Mesa, AZ 85201 | (602) 649-5452 |
|-----------------|--|----------------|

| State | Agency | |
|--|---|----------------|
| Notification of beginning or Suspension of operations | Arizona State Mine Inspector 1700 W. Washington, Ste. 400 Phoenix, AZ 85007 | (602) 542-5971 |
| Mined Land Reclamation Plan | Arizona State Mine Inspector | (602) 542-5971 |
| Water Reuse Permit | Arizona Department of Environmental Quality 3033 N. Central Ave. Phoenix, AZ 85012 | (602) 207-2000 |
| Discharge Permit (Surface Water) | ADEQ – Water | (602) 207-2305 |
| Hazardous Waste Permit | ADEQ – Waste | (602) 207-2381 |
| Air Emissions Permit | ADEQ - Air Quality | (602) 207-2308 |
| Solid Waste Disposal/ Operational Plan Approval | ADEQ - Solid Waste | (602) 207-2381 |

Arizona State Mine Inspector Response Team

In the event of any fatality or serious accident, the Arizona State Mine Inspector or one of his deputies must be contacted. A list of State Mine Inspector personnel and the telephone numbers where they may be contacted.

R11 1 136 states: The *State Mine Inspector's office shall be immediately notified of:*

- Any accident or injury to an individual resulting in death or which has the reasonable potential to cause death.
- An entrapment of an individual for more than thirty minutes.
- An unplanned inundation of a mine by a liquid or gas.
- An unplanned ignition of a blasting agent or explosive.

Phoenix Office 8:00 AM -- 5:00 PM

PHONE: 602-542-5971
FAX: 602-542-5335
24-Hour Phone: 602-542-5971
Deputy on Call: 520-975-7644

After Hours Emergency Line

Phone: 520-975-7644

Arizona State Mine Inspector

Joe Hart
Office 602-542-5971

Assistant Mine Inspector
Tim Evans
Cellular 520-603-8000

Deputy Mine Inspector
John Stanford
Cellular 602-448-7436

Deputy Mine Inspector
Rex Gennicks
Cellular 602-616-2440

Deputy Mine Inspector
Jack Speer
Cellular 928-713-1645

Deputy Mine Inspector
Bill Schiffers
Cellular 520-237-1146

The above numbers are the individual inspector's cellular telephone numbers and the Deputy on Call number. Contacting any Deputy Inspector will alert the others if the situation warrants.